

# STATE OF NEW YORK

6412

2023-2024 Regular Sessions

## IN SENATE

April 18, 2023

Introduced by Sen. KENNEDY -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to requiring trucks to utilize commercial GPS

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The vehicle and traffic law is amended by adding a new  
2 section 379 to read as follows:

3 § 379. Commercial GPS. 1. As used in this section, the following  
4 terms shall have the following meanings:

5 (a) "Commercial GPS" is a global positioning system that is designed  
6 for use by a commercial vehicle which is able to provide audible and  
7 visual warnings when such commercial vehicle is on a route where the  
8 height, weight, width, or length of such vehicle exceeds the limitations  
9 of such route.

10 (b) "Damage to infrastructure" can mean any impacts and/or collisions  
11 that cause physical or cosmetic damage to a bridge, overpass, guardrail,  
12 or other piece of public or private infrastructure.

13 2. (a) Every truck operating on a public highway in the state shall  
14 use a commercial GPS.

15 (b) Such commercial GPS shall be regularly updated to ensure accurate  
16 information.

17 3. In addition to any other applicable penalties imposed pursuant to  
18 this chapter:

19 (a) Any driver found to be operating a truck on a public highway in  
20 the state without a commercial GPS shall:

21 (i) receive a verbal and written warning for a first violation;

22 (ii) be subject to a civil fine of up to two hundred fifty dollars for  
23 a second violation; and

24 (iii) be subject to a civil fine of up to five hundred dollars for a  
25 third and each subsequent violation.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets  
[-] is old law to be omitted.

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1 (b) Any driver found to be operating a truck on a public highway in  
2 the state without a commercial GPS and who causes damage to infrastruc-  
3 ture shall be subject to:

4 (i) a civil fine of up to two thousand five hundred dollars for a  
5 first violation;

6 (ii) a civil fine of up to five thousand dollars for a second  
7 violation; and

8 (iii) be subject to a civil fine of up to ten thousand dollars for a  
9 third and each subsequent violation.

10 § 2. This act shall take effect on the one hundred eightieth day after  
11 it shall have become a law; provided, however, that this act shall be  
12 deemed repealed if any federal agency determines in writing that this  
13 act would render New York state ineligible for the receipt of federal  
14 funds or any court of competent jurisdiction finally determines that  
15 this act would render New York state out of compliance with federal law  
16 or regulation; provided, further, that the commissioner of transporta-  
17 tion shall notify the legislative bill drafting commission upon the  
18 occurrence of the provisions of this section in order that the commis-  
19 sion may maintain an accurate and timely effective data base of the  
20 official text of the laws of the state of New York in furtherance of  
21 effectuating the provisions of section 44 of the legislative law and  
22 section 70-b of the public officers law. Effective immediately, the  
23 addition, amendment and/or repeal of any rule or regulation necessary  
24 for the implementation of this act on its effective date are authorized  
25 to be made and completed on or before such effective date.